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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/656,663	KAMINKOW ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Scott E. Jones	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed December 10, 2004.
2. ☒ The allowed claim(s) is/are 153-161, 188-196, 207, 208, 220 and 221.
3. ☒ The drawings filed on 9/7/00 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    ☐ Some\*    ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

***Reasons for Allowance***

1. Claims 153-161, 188-196, 207, 208, and 220-221 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The instant invention is deemed to be an improvement over the prior art, the improvement comprising providing a player with audible information that indicates how far (proximity) one or more of the reel symbols are from a winning combination of reels symbols, and counting the number of times one or more of the non-targets/non-pitfalls are selected and upon reaching a predetermined number, generating one or more sound effects. In particular, the prior art fails to disclose, teach, or fairly suggest, "a plurality of different sound effects associated with the different proximities of the non-targets/non-pitfalls to the target/pitfall" and "counting the number of times one or more of the non-targets/non-pitfalls is selected, and upon reaching said predetermined number, causing the speaker to generate: one of said sound effects when one of the non-targets/non-pitfalls is selected, said non-target/non-pitfall having one of the proximities to the target/pitfall; and another one of the sound effects when another one of the non-targets/non-pitfalls is selected, said other non-target/non-pitfall having a different one of the proximities to the target/pitfall" as substantially recited in each of independent claims 153, 156, 159, 188, 191, 194, 207, 208, 220, and 221.

Yoseloff et al. (U.S. 6,656,046) discloses a reel slot casino wagering apparatus comprising a housing having at least three displayed reels thereon, each reel having symbols, characters or alphanumerics that are displayed, a wager entering system, a CPU and a sound system, wherein the CPU has software and/or hardware that provides distinctly different audio signals for at least one of a revelation of a non-payout configuration or a position of only

particular symbols where the total configuration of all symbols does not provide a payout. Furthermore, these symbols can be selected automatically via the game machine or manually via a player selection.

Weiss (U.S. 6,309,299) discloses a traditional gaming machine enhanced and blended with a battleship (target type) game having icons provided on the video display in various orientations and are replicated around the periphery of the video display. Various icons which appear on the video display show that the simulated ordnance projectile has landed on an icon within the video display. The nature of the hit is replicated by a "starburst" impact (30) shown on the display. The lower left and right hand corners of the upper portion bear the legends "hit" and "fire" which correlate to the activities discussed with respect to the artillery pieces (26) having been fired and when a target has been hit. Audio simulation "tracks" the events by providing sound effects of bombs in flight and landing.

Ishibashi (U.S. 5,695,188) discloses a gaming machine having a variable display means for variably displaying a plurality of symbols for each of a plurality of symbol columns which are moved and stopped in a direction across at least one winning line, and sound generating means for generating sounds when each of the plurality of symbol columns is moved and stopped, respectively. The sound generating means generates different sounds for each of the symbols positioned on the winning line when each of the plurality of symbol columns is stopped. Alternatively, the sound generating means generates different sounds for each of the symbols passing on the winning line while each of the plurality of symbol columns is moved.

Beall et al. (U.S. 4,974,857) discloses an electronic gaming device (electronic dart board game) capable of being played by sight impaired persons adapted to audibly guide the player

through the complex game including audibly and visually including the status of the game and the score of each player. Also, when a player misses the dartboard, there is no associated sound effect generated from the game machine.

These statements are not intended to necessarily state all of the reasons for allowance or all the details why the claims are allowed and should not imply that all the reasons for allowance have been set forth.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Terminal Disclaimer***

3. The terminal disclaimer filed on December 10, 2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent Application Serial No. 09/978,607 has been reviewed and is accepted. The terminal disclaimer has been recorded.

4. The terminal disclaimer filed on December 10, 2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent Application Serial No. 10/238,255 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (571) 272-4438. The examiner can normally be reached on Monday - Thursday, 6:30 A.M. - 5:00 P.M..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Scott E. Jones  
Examiner  
Art Unit 3713



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